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## **REMARKS**

Applicants assert that the present invention is new, non-obvious and useful. Applicants respectfully request reconsideration of the above-identified application in view of the foregoing amendments and following remarks.

### **Status of Claims**

Claims 1–19 and 24–29 are pending in the application. Claims 20–23 have been canceled. Claims 1–19 and 24–25 have been amended. Claims 26–29 have been added. Applicants respectfully assert that the amendments to the claims add no new matter.

Claims 20–23 have been canceled without prejudice or disclaimer. In making this cancellation without prejudice, Applicants reserve all rights in these claims to file divisional and/or continuation patent applications.

## **CLAIM REJECTIONS**

### **35 U.S.C. § 112 Rejections**

In the Office Action, the Examiner rejected claims 1-23 under 35 U.S.C. §112, second paragraph, as being indefinite regarding which recited features are limitations that apply to the claimed subject matter. Specifically, the Examiner stated that the relationship between the claimed management server, framework, and application complexes was not clear.

Applicants have amended claim 1 to clarify the claimed subject matter. Independent claim 1, as amended herein, is directed towards a system for managing application complexes, the system comprising a management server and a computer-implemented framework that is executed by said management server.

Applicants respectfully assert that the amendments to independent claim 1 render claims 1-23 proper under 35 U.S.C. §112 and request that the rejection be withdrawn.

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### **35 U.S.C. § 101 Rejections**

In the Office Action, the Examiner rejected claims 22 and 23 under 35 U.S.C. §101 as being directed to non-statutory subject matter.

As claims 22 and 23 have been cancelled without prejudice, this rejection is now moot. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §101 be withdrawn.

### **35 U.S.C. § 103 Rejections**

In the Office Action, the Examiner rejected claims 1–25 under 35 U.S.C. §103(a), as being unpatentable over Carlson (US Patent 6,697 849) in view of Choquier et al. (US Patent 5,951,694) and in view of Watt (US Publication 2003/0126202 A1).

Applicants respectfully assert that independent claims 1, 24, and 25, as currently amended, include features that are not taught or suggested by the references of Carlson, Choquier, and/or Watt, taken individually or in combination. Accordingly, Applicants respectfully request that the rejection of claims 1-25 under 35 U.S.C. §103 be withdrawn.

For example, none of the cited references, taken individually or in combination, teaches or suggests at least the claimed feature “wherein the framework is capable of managing multiple application complexes of different types based on the configuration information provided by said plugin for each respective application-complex type”, as recited in amended independent claims 1, 24, and 25. In addition, none of Carlson, Choquier, and Watt teaches or suggests the claimed feature “wherein the framework, in cooperation with said plugin, is capable of applying configuration operations on application complexes of the respective application-complex type”.

Applicants agree with the Examiner that the combination of Carlson and Choquier does not teach controlling and managing application complexes of different types as claimed. In addition, Applicants respectfully assert that Watt, taken alone or in combination with Carlson and/or Choquier, also does not teach controlling and managing application complexes of different types, and certainly not managing the application complexes “based on the configuration information provided by said plugin for each respective application-

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complex type,” or controlling the application complexes “in cooperation with said plugin,” as is claimed in Applicants’ amended independent claims 1, 24, and 25.

Watt describes a management tool for dynamic server allocation and provisioning within a data center. However, Watt does not relate to multi-tiered application complexes that are definable via an application-complex type and respective plugin, as is claimed in Applicants’ independent claims. In fact, Watt does not relate to multi-tiered applications at all. The “virtual cluster” of Watt is defined as simply “a collection of servers or server pools and their respective instances that are grouped together to provide one or more service or application” (Watt, paragraph 109).

While the system and method of Watt may relate to handling of multiple servers, it is respectfully asserted that Watt clearly does not read on Applicants claimed feature of “managing multiple application complexes of different types based on the configuration information provided by said plugin for each respective application-complex type”.

Applicants’ amended independent claims 1, 24, and 25 are directed to a system, product, and method of managing application complexes that are each “definable via a respective application-complex type”. Applicants’ claimed management framework is capable of managing and configuring multiple application complexes of different types in cooperation with plugins for the application complex types, thereby enabling dynamic management capability. It is respectfully asserted that none of the prior art references demonstrates such ability for dynamically managing different types of application complexes.

In view of the above, Applicants respectfully submit that amended independent claims 1, 24, and 25 are patentable over the cited references. In addition, it is respectfully submitted that claims 2–19 and 26–29 are likewise patentable at least by virtue of their dependency.

Finally, Applicants acknowledge the Examiner’s citation of non-applied references on page 11 of the Office Action, and respectfully assert that the pending claims distinguish over this art.

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### Conclusion

In view of the foregoing amendments and remarks, Applicants submit that the pending claims distinguish over the prior art of record and are in condition for allowance. Favorable consideration and passage to issue are therefore respectfully requested.

The Examiner is invited to telephone the undersigned counsel to discuss any further issues yet to be resolved in connection with this application.

Please charge any fees associated with this paper to deposit account No. 50-3400.

Respectfully submitted,

By: /Suzanne Erez/  
Suzanne Erez  
Reg. No. 46,688  
Phone No. (972) 4-829-6069

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IBM Corporation  
Intellectual Property Law Dept.  
P. O. Box 218  
Yorktown Heights, New York 10598